

purposes only. "Official purposes" does not include transportation of an officer or employee between his or her residence and place of employment, unless authorized under the provisions of 31 U.S.C. 1344, or other applicable law. A copy of any written approval shall be maintained at the appropriate level within the agency. Each agency should establish procedures to monitor and control the use of its vehicles at all times. Officers and employees entrusted with a motor vehicle are responsible for the proper care, operation, maintenance, and protection of the vehicle. Any officer or employee who uses or authorizes the use of such vehicle for other than official purposes is subject to a suspension of at least 1 month or, up to and including, removal by the head of the agency (31 U.S.C. 1349).

[62 FR 327, Jan. 3, 1997]

§ 101-38.301-1 Contractors' use.

Heads of agencies are responsible for ensuring that the employees of contractors and subcontractors use Government-owned or -leased motor vehicles for official purposes only. ("Official purposes" do not include transportation of a contractor's employee between domicile and place of employment unless specifically provided for under the terms of the contract; and approved in writing by the contracting officer or otherwise provided by law); that employees of contractors and subcontractors authorized to use Government motor vehicles use such vehicles solely in the performance of the Government contract and subcontract thereunder; that such contractors and subcontractors establish and enforce suitable penalties for their employees who use or authorize the use of such vehicles for other than official purposes; and that appropriate provision is made for the assumption by the contractor or subcontractor of any cost or expense incident to use not related to the performance of the contract without the right of reimbursement from the Government for such cost or expense.

§ 101-38.301-2 Violations.

Whenever the Administrator of General Services becomes aware of any

violation of the provisions of § 101-38.301 or § 101-38.301-1 concerning the unauthorized use of Government motor vehicles, the Administrator, GSA, shall report the violation to the Head of the agency in which the vehicle operator is employed, for further investigation and appropriate disciplinary action under 31 U.S.C. 1349, or where appropriate, referral to the Attorney General for prosecution under 18 U.S.C. 641.

§ 101-38.301-3 Violation of State and local motor vehicle traffic laws.

Operators of Government-owned or -leased motor vehicles shall become familiar with and obey all motor vehicle traffic laws of the State(s) and local jurisdictions in which they operate. Violation of State or local motor vehicle traffic laws can result in fines and/or imprisonment of the motor vehicle operator.

(a) Fines imposed on a Government employee for an offense committed by him or her while in the performance of, but not as a part of, the employee's official duties are imposed on the employee personally and payment thereof is his or her personal responsibility. This includes fines for parking violations while operating a Government-owned or -leased motor vehicle. However, reimbursement of parking fees is normally allowed when the fees are incurred by Federal employees in the performance of their official duties.

(b) Except when the scope of their employment dictates otherwise, operators of Government motor vehicles shall obey posted speed limits. Operators will also be cognizant of the effects that weather and traffic conditions have on travel speeds.

[54 FR 30895, July 25, 1989]

Subpart 101-38.4—Use and Replacement Standards

§ 101-38.400 Applicability.

The motor vehicle replacement standards prescribed in this subpart are the minimum standards to be used by all executive agencies desiring to replace motor vehicles. Executive agencies may retain motor vehicles that are in usable and workable condition even though the standard permits

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replacement, provided that the vehicle can be used or operated an additional period without excessive maintenance cost or substantial reduction in resale value. The fuel economy criteria set forth in §101-38.101-3 must be followed in acquiring replacement vehicles.

§ 101-38.401 Use standards.

§ 101-38.401-1 Gasoline for use in motor vehicles.

(a) Unleaded (0.05gm/gal.) gasoline shall be used in all Government-operated motor vehicles used overseas unless—

(1) Such use would be in conflict with country-to-country or multinational logistics agreements; or

(2) Such gasolines are not available locally.

(b) Under no circumstances should premium gasoline be used in Government-owned vehicles, except for those vehicles that require premium gasoline.

[51 FR 11684, Apr. 4, 1986, as amended at 62 FR 328, Jan. 3, 1997; 62 FR 31740, June 11, 1997]

§ 101-38.401-2 Use of self-service pumps.

Heads of agencies shall require the use of self-service pumps by their motor vehicle operators when purchasing fuel at commercial service stations with self-service pumps to the fullest extent possible. Operators should minimize the cost of fuel purchases by using service stations which accept the Standard Form 149, U.S. Government National Credit Card, and SF 149A, U.S. Government Fleet Credit Card, for gasoline purchases at self-service pumps.

[51 FR 11684, Apr. 4, 1986, as amended at 62 FR 328, Jan. 3, 1997]

§ 101-38.402 Replacement standards.

(a) Table of minimum replacement standards.

TABLE OF MINIMUM REPLACEMENT STANDARDS

Vehicle description	Life expectancy	
	Years	Miles
Sedans/Station Wagons	3	60,000
Ambulances	7	60,000
Buses:		
Intercity-Type	N/A	280,000

TABLE OF MINIMUM REPLACEMENT STANDARDS—Continued

Vehicle description	Life expectancy	
	Years	Miles
City-Type	N/A	150,000
School-Type	N/A	80,000
Trucks:		
Less than 12,500 pounds GVWR ..	6	50,000
12,500—23,999 GVWR	7	60,000
24,000 pounds and over	9	80,000
4-or 6-wheel drive vehicles	6	40,000

(b) *Exceptions.* If a motor vehicle has been wrecked or damaged (including wear caused by abnormal operating conditions) beyond economical repair, the vehicle may be replaced without regard to replacement standards in this § 101-38.402 after review by the head of the executive agency or his or her designee.

[51 FR 11684, Apr. 4, 1986, as amended at 59 FR 5962, Feb. 9, 1994; 62 FR 328, Jan. 3, 1997]

Subpart 101-38.5—Scheduled Maintenance

§ 101-38.500 Scope and applicability.

This subpart prescribes agency requirements and guidelines covering a maintenance program for government-owned or -leased motor vehicles, and is applicable to all agency-owned or -leased motor vehicles located in any State, Commonwealth, territory, or possession of the United States.

[57 FR 53283, Nov. 9, 1992]

§ 101-38.501 Agency requirements.

Each executive agency shall establish a scheduled maintenance program for all its Government-owned or -leased motor vehicles.

[57 FR 53283, Nov. 9, 1992]

§ 101-38.502 Guidelines.

(a) A scheduled maintenance program should include a recorded, systematic procedure for the servicing and inspection of motor vehicles to:

(1) Ensure their safe and economical operating condition throughout the period of use;

(2) Meet established emission standards; and

(3) Meet warranty requirements.